

REMARKS

Claims 1, 5-15, 17-52, 56-66, and 68-103 are pending, with claims 1, 27, 52, 78, and 103 being independent. Claims 2-4, 16, 53-55, and 67 were previously cancelled. Claims 1, 27, 52, 78, and 103 have been amended. Support for the amendments is found, for example, in paragraph 0060. No new matter has been introduced.

Rejection under 35 U.S.C. §103(a)

Claims 1, 5-15, 17-26, 28, 30-52, 56-66, 68-77, 79, and 81-103 stand rejected under 35 U.S.C. §103(a) as being rendered obvious by U.S. Patent No. 6,799,326 ("Boylan") in view of U.S. Publication No. 2001/0047297 ("Wen"). Applicants respectfully request withdrawal of this rejection because neither Boylan, Wen, nor any proper combination of the two describes or suggests the features of the amended independent claims.

Claim 1 has been amended and now recites referencing a primary advertisement within a web page. Based on referencing the primary advertisement within the web page, at least one blocking category of ads to be blocked is identified for a primary advertisement within a web page. At least one ad for a secondary advertisement within the web page that features the primary advertisement is accepted, each ad being associated with at least one descriptive category, the ad configured to be embedded in the Web page of a content publisher and provided by an advertising server. The blocking category of ads to be blocked is used to develop a list of secondary candidates from the accepted secondary advertisements and preventing an ad from being included in the list of secondary candidates if at least a predetermined number of its at least one descriptive category match any of the at least one blocking category of ads to be blocked. Neither Boylan, Wen, nor any proper combination of the two describes or suggests these features.

The Final Office Action recognizes that Boylan fails to describe or suggest the previous instance of these features in noting:

**Boylan does not explicitly disclose:
the ad configured to be embedded in a Web page of a content publisher and
provided by an advertising server;**

**identifying a document to which an accepted ad is linked, the document representing a landing page related to the ad to be embedded in the Web page;
analyzing content in the document;
identifying, based on analyzing the content in the document, at least one entry;
adding the entry to the blocking category of ads to be blocked if the entry relates to the least one blocking category of ads to be blocked;
preventing an ad from being served if at least a predetermined number of its at least one descriptive category match any of the at least one blocking category of ads to be blocked, wherein the at least one descriptive category associated with the ad is determined from the content of the document.**

In addressing these features, the Office Action relies on Wen. Wen describes an advertising brokering system that creates advertisements with particular characteristics. For example, paragraph 0059 describes that a particular advertisement is categorized as relating to “auto,” “travel” and “financial.” Wen describes a variety of advertisements. For example, Wen indicates that advertisements may include rich media files and applets. See paragraph 0028. However, in describing how advertisements are placed, Wen does not describe or suggest a blocking category of ads to be blocked for a primary advertisement within a web page. Instead, Wen describes having the publisher set restrictions for which advertisements can be served. See paragraph 0058. That is, Wen never describes the impact of selecting a primary advertisement on the ability to select a secondary advertisement. As such, Wen fails to describe or suggest “identifying, based on referencing the primary advertisement within the web page, at least one blocking category of ads to be blocked” and then “accepting at least one ad for a secondary advertisement within the web page that features the primary advertisement.” Together, these limitations result in “using the blocking category of ads to be blocked to develop a list of secondary candidates from the accepted secondary advertisements.” Thus, Wen, like Boylan, does not describe or suggest these features

Independent claim 52 has been amended and now recites, “ i) at least one blocking category of ads to be blocked for a primary advertisement within a web page, and ii) at least one ad for a secondary advertisement within the web page that features the primary advertisement, ... and means for using the blocking category of ads to be blocked to develop a list of one or

more secondary candidates from the at least one or more accepted secondary advertisements ...
.” Independent claim 103 has been amended and now recites, “receive user input for a primary advertisement within a web page indicating a blocking category of digital advertisements to be blocked from distribution to a viewer over the distribution network, receive user input for a secondary advertisement within the web page that features the primary advertisement indicating a digital advertisement, and using the blocking category of ads to be blocked to develop a list of one or more secondary candidates from the accepted secondary advertisements.” Claims 52 and 103 are believed to be allowable for the reasons that claim 1 is allowable.

Rejection under 35 U.S.C. §103(a) based on Boylan in view of Wen and Dedrick

Claims 27 and 78 stand rejected under 35 U.S.C. §103(a) as being rendered obvious by Boylan in view of Wen and U.S. Patent No. 5,724,521 (“Dedrick”).

Independent claim 27 has been amended and now recites, “referencing a primary advertisement within a web page, identifying, based on referencing the primary advertisement within the web page, at least one blocking category of ads to be blocked for a primary advertisement within a web page, accepting at least one ad for a secondary advertisement within the web page that features the primary advertisement, and using the blocking category of ads to be blocked to develop a list of one or more secondary candidates from the at least one ad for the secondary advertisement in response to determining, based on analyzing the candidate ad using the at least one blocking category of ads to be blocked, that the candidate ad should not be blocked.” Independent claim 78 has been amended and now recites, “an input for accepting i) at least one blocking category of ads to be blocked for a primary advertisement within a web page, ii) at least one ad for a secondary advertisement within the web page that features the primary advertisement, and means for using the blocking category of ads to be blocked to develop a list of one or more secondary candidates from the at least one ad in response to determining, based on analyzing the candidate ad using the at least one blocking category of ads to be blocked, that the candidate ad should not be blocked.” Neither Boylan nor Wen describes these features for

the reasons set forth above with respect to claim 1. Dedrick was relied upon for disclosure of "adjusting a weight of each of the at least one blocking category in a comparison function" in column 2, lines 10-20, and does not describe or suggest the features discussed above. Accordingly, withdrawal of these rejections is respectfully requested.

Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The fees in the amount of \$1,920 (RCE \$810) and (Three-month Extension \$1,110) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050. Applicant submits that all claims are in condition for allowance. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

7/21/2010
Date: _____

/Thomas A. Rozyłowicz/

Thomas A. Rozyłowicz
Reg. No. 50,620

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (877) 769-7945